

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

BRIAN J. LEFLER,

Plaintiff,

v

MAYBERRY HOMES, LLC,
E.L. HOLDING CO., LLC,

Defendants.

No. 15-823-CZ

**ORDER RE: BUSINESS
COURT JURISDICTION**

At a session of said Court held in the City of Lansing,
County of Ingham, State of Michigan, on October 9,
2015.

PRESENT: Hon. Joyce Draganchuk
Circuit Judge

A five-count Complaint was filed in this case on October 7, 2015. Plaintiff homeowner alleges breach of express and implied warranties, negligence and gross negligence, malpractice, and breach of contract in connection to the construction of his home. The face of the Complaint provides notice that the case should be assigned to the Business Court.

This case has been reviewed for Business Court eligibility and it is not eligible. To be eligible for Business Court, either both parties must be business enterprises or "one or more of the parties is a business enterprise and the other parties are its or their present or former owners, managers, shareholders, members, directors, officers, agents, employees, suppliers, or competitors, and the claims arise out of those

relationships.” MCL 600.8031(1)(c). The Plaintiff is an individual homeowner and is not a former owner or member of any kind in the Defendant business enterprise.

The Business Court does not have jurisdiction in this case. The case shall be retained by the judge to whom it was originally assigned by blind draw.

IT IS SO ORDERED.

/s/

Hon. Joyce Draganchuk (P39417)
Circuit Judge

PROOF OF SERVICE

I certify that I served a copy of the above Order upon counsel for Plaintiff by placing same in a sealed envelope addressed to him and depositing it for mailing with the United States Mail at Lansing, Michigan, on October 9, 2015.

/s/

Michael G. Lewycky
Law Clerk/Court Officer